

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - January 17, 1968

Appeal No. 9488 Watergate East, Inc., appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on March 20, 1968.

EFFECTIVE DATE OF ORDER - October 8, 1968

ORDERED:

That the appeal for further processing under Article 75 of the Zoning Regulations to permit permanent canopy for penthouse apartment at 2500 Virginia Ave., N.W., lot 19, Sq. 8, be granted.

FINDINGS OF FACT:

1. The subject property is located in an SP District.
2. The subject apartment is located on the topmost floor of the subject building which is a part of the Watergate complex of buildings in the Foggy Bottom area of the city.
3. The apartment has stairs leading to a roof terrace which is glass enclosed and covered.
4. It is proposed to erect an opaque cover over the glass enclosure to keep the direct sunlight out of the apartment.
5. Presently the sun enters through the glass and creates problems by injury to art works and cracks the handrail. There is an extreme heat buildup.
6. It is proposed to erect the permanent canopy because the wind created by the building and river would not allow a temporary structure to remain.
7. There is now a 6-inch concrete slab, metal mesh going across and covering the stair only.
8. The proposed canopy will furnish a brim on the top and will be approximately 128 square feet.
9. This apartment is the only one which has such construction in the entire complex and such a canopy will not be necessary for any other apartment.

10. By letter dated November 15, 1967, (BZA Exhibit No. 3), the President of Watergate East states: "The Board of Directors is pleased to approve your request (reference: paragraphs 5b and 8 of the Watergate East, Inc., Cooperative Apartment Proprietary Lease and Occupancy Agreement) and considers the improvements from an aesthetic viewpoint to be an asset to your penthouse roof and the general appearance of the building.

"The approval granted herein, of course, is contingent on:

- 1) The improvements being in general accord with Mr. Rostad's drawings furnished to the Board.
- 2) There is no penetration of the deck/roof of the main building.
- 3) Allowable designed pounds per square foot loading is not exceeded where weight is added.
- 4) That you obtain permission from the necessary governmental and civic authorities to proceed with the structural and profile changes in the building."

11. By letter dated January 26, 1968, (BZA Exhibit No. 12) the Board requested the attorney for Watergate Improvement Association whether the FAR of the Watergate development will include that added by the canopy requested in the subject appeal.

12. By letter dated March 28, 1968, (BZA Exhibit No. 13) the law firm of Lichtenberg and Luria replied: "Pursuant to the Board's request, this is to advise that the proposed canopy will not exceed the maximum allowable gross floor area of the building in question, if permitted with the Board approval under the provisions of Regulation 7501.72."

13. No opposition to the granting of this appeal was registered at the public hearing.

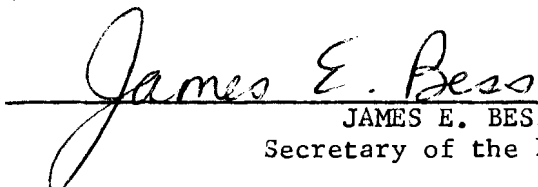
OPINION:

We are of the opinion that this proposed canopy will have no adverse affect upon this Article 75 project. This canopy affects only one individual apartment in the development and has no significant affect upon the FAR of the development. The owners of the neighboring apartments have no objection to this proposal and we find that there will be no adverse affect upon the purpose and intent of the Zoning Regulations.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By:


JAMES E. BESS
Secretary of the Board

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THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY
UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED
WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER
THE EFFECTIVE DATE OF THIS ORDER.